

# Judicial Mental Health Advocates



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# What is an Advocate?

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An Advocate is appointed by the Court to advocate for persons under a mental health commitment per chapter 229 of the Iowa Code

Advocates are not tied to the regional MHDS system or the legal system; an Advocate is independent of both

Advocates are not required to defend the:

- Legal system that placed the individual in the hospital
- Providers that are treating the individual
- MHDS system or other funding entities

Advocates act as a liaison for the individual and the court, providers, MHDS system, family and/or friends

# What is an Advocate?

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When an Advocate is appointed, they assist people with the following:

- Understanding and following the court's commitment order
- Providing information regarding the rights of a committed person
- Giving support, answer questions, investigating concerns and making needed referrals
- Informing the court if the services of an attorney are necessary

# Advocate Employment & Assignment

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## Employment:

- Iowa code section 229.19
- County Board of Supervisors are responsible for hiring Advocates
- Advocates cannot be an officer or employee of:
  - Department of Human Services
  - Region
  - County performing duties for a region
  - Any agency or facility providing care or treatment to persons with mental illness

## Assignment:

- Every individual placed under an involuntary mental health commitment is required to be assigned an Advocate
- The Court in the county where the individual is committed assigns the Advocate
- The Advocate is assigned to the individual during the time of an active mental health commitment case; the Advocate remains appointed as long as the commitment is open

# Advocate Job Duties

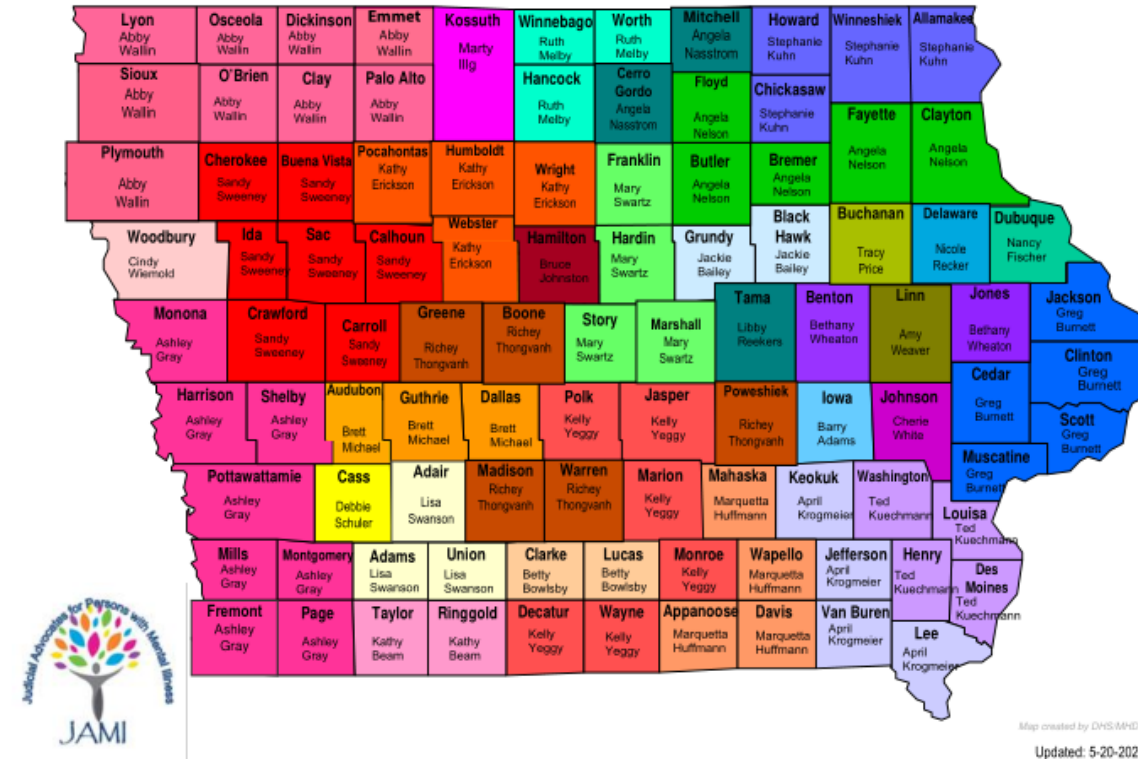
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## PRIMARY DUTIES

- Required by Chapter 229 of the Iowa Code (not an exhaustive list)
  - Review reports, orders and applications submitted on the individual
  - Advise the Court at any time it appears that the services of an attorney are needed to safeguard the individuals best interest
  - Be readily available to receive communications from the individual and to communicate with the individual directly within five days of the commitment
  - To visit the individual within fifteen days of the commitment and periodically thereafter
  - To communicate with medical personnel treating the individual and to review the individuals medical records
  - To file with the Court reports as the Advocate feels necessary or as required by the court
  - May attend the hospitalization hearing of any individual whom the Advocate has received notice of
  - To utilize the related best practices for the above duties as developed and promulgated by the Judicial Council
  - **(SEE ALSO BILLABLE ACTIVITIES HANDOUT)**

# Advocates by County

Judicial Mental Health Advocates



Map created by DHS/MHDS

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